REMARKS

Applicants would like to thank Examiner Matzek and Examiner Torres for the courtesies extended in the telephonic interview of July 20, 2005; your comments were appreciated.

Upon entry of the instant amendment, claims 1-65 stand pending. Claims 1, 24, 41, and 53 have been amended. Support for the amendments may be found, for example, at page 6, lines 11-30, and generally throughout the detailed description and examples; no new matter has been added by the amendments to the claims. Reconsideration is respectfully requested.

Double Patenting

Claims 1-65 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-51 of copending application number 10/818,214. Applicants will consider filing a terminal disclaimer after successful prosecution of both applications if it is deemed necessary in view of any claim amendments.

Claims Rejections – 35 USC §103

Claims 1-44 and 46-65 are rejected under 35 USC§103(a) as obvious over USPN 6,395,383 to Maples in view of USPN 4943475 to Baker et al. and further in view of USPN 5,618, 334 to Ozcayir et al. It is stated that Maples discloses a selectively permeable protective covering capable of transmitting high quantities of water vapor while also being capable of significantly restricting the passage of dangerous chemicals. It is further stated that one embodiment comprises two water vapor permeable open pore PTFE substrates and a polyamine polymer with amine-acid moieties; in another embodiment the support substrate may be an open pore substrate of polyethylene, polysulfone, polypropylene, polyamides and the like. The polyamine polymer is in the form of a selectively permeable sheet or layer, and/or may form part of a composite sheet with a water vapor permeable substrate.

Ozcayir is cited as teaching a gas separation membrane prepared from sulfonated polyimides, aromatic radical and aromatic rings in the polyimide backbone containing sulfonic acid radicals.

Baker is cited as disclosing a multilayer fabric material consisting of a fabric support, a microporous membrane layer and an ultrathin

permselective surface coating, and optionally intermediate sealing and protective top layers. Silent as to the specific nature of the polysulfone, polyamide, or crosslinked polyimides to be used as the microporous layer in the disclosed patent, Baker is cited as teaching that crosslinked polyimides may be used interchangeably with polyamide for use as the microporous support layers. Therefore, it would have been obvious to have made the invention of Maples with the sulfonic acid polyimides of Ozcayir motivated by the successful creation of a selectively permeable protective covering capable of transmitting high quantities of water vapor while also being capable of significantly restricting the passage of noxious or harmful chemicals. Applicants respectfully traverse the rejection to the claims in view of the following comments.

Applicants assert that a fair reading of the cited references would direct one skilled in the art away from the combination of Maples in view of Baker and further in view of Ozcayir. Baker is cited as teaching equivalence for polyamides and cross-linked polyimides for microporous support layers. Maples, however, is directed to permselective layers of specific polyamine polymers, and clearly states that nitrogen-containing chemical groups such as amides and imides are excluded from use in the invention of Maples (column 8 lines 15 -17). Therefore, Applicants assert that one skilled in the art would be directed away from the combination of Maples and Ozcayir, and Baker does not provide any additional motivation.

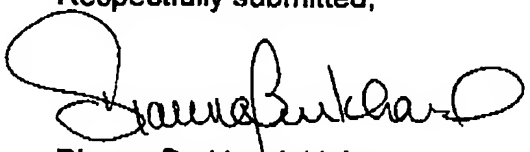
The noted equivalence teaching of Baker is directed to polyamides and polyimides as microporous substrates, which Baker clearly states do not provide permselective properties (Baker at col.6, lines 46-48). Therefore, Baker provides no motivation to modify the permselective polyamine polymer layer of Maples with the polyimide gas separation membrane of Ozcayir to get to the present invention. Any teaching of equivalence by Baker between polyamides and crosslinked polyimides, would be understand by one skilled in the art to apply to such materials useful for support structure, and not specific polymers, such as those of the presently claimed invention, having permeation properties.

Applicants believe that the independent claims are patentable. Because the remaining rejections are directed to dependent claims, these claims are also deemed by Applicants to be allowable as having all of the limitations of the independent claims upon which they depend. Removal of

the rejection and reconsideration of all of the claims is, therefore, respectfully requested.

Should the Examiner feel any additional action on the part of applicants is required, he should feel free to contact applicants' undersigned representative.

Respectfully submitted,



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